REMARKS

I. INTRODUCTION

Claims 33-36 have been added. Thus, claims 1-36 remain pending in the present application. The applicants respectfully submit that no new matter has been added. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE OBJECTIONS TO THE DRAWINGS SHOULD BE WITHDRAWN

The Examiner objected to the drawings filed on February 7, 2002. However, the applicants have submitted formal drawings on June 7, 2002 to replace the informal drawings filed with the application. A copy of the previously filed formal drawings are enclosed herewith. In view of the formal drawings submitted on June 7, 2002, applicants respectfully request that the Examiner withdraw the objections to the drawings.

III. THE 35 U.S.C. §102 REJECTIONS SHOULD BE WITHDRAWN

Claims 4 and 10-32 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,526,403 to Tam et al. (hereinafter "Tam").

Tam discloses that a single mobile telephone unit may be used as either a wireline telephone or a mobile telephone. (*See* Tam, Fig. 1). The mobile telephone unit may be connected to a wired line or may be used via the cellular network. A single adapter, which is exterior to both the mobile telephone unit and a cradle for the mobile telephone unit, may include both the electrical power and the wireline interface and connect to the mobile telephone unit. (*See id.*, col 3, lines 60-66). However, alternative arrangements (i.e. where the wireline interface is integrated into the cellular transceiver) may eliminate the need for this adapter (*See id.*, col. 4, lines 6-9). To function both as a wireline telephone and a cellular phone, the wireline interface switches between the two different modes. (*See id.*, col. 7, lines 9-45). For each mode, the transceiver processor provides and performs pre-determined instructions for the particular mode.

The instructions provide for forwarding mobile telephone calls to the wired line when the wired line is available and the device is in wireline mode. (*See id.*, col. 7, lines 20-33). Similarly, if the wired line is removed or if the device enters cellular mode, the instructions also provide for cancelling mobile telephone call forwarding. The instructions further include flipping the position of an audio switch to the desired position. (*See id.*, col. 7, lines 46-48).

A. THE §102 REJECTION TO CLAIM 4 SHOULD BE WITHDRAWN

Claim 4 of the applicants' invention recites a method for providing wireline telephone and mobile telephone cross-usage comprising the steps of:

> activating call forwarding of incoming mobile telephone calls to a subscriber's home wired line telephone **upon placement of said mobile telephone into a customer premises equipment (CPE) cradle**; and
>
> de-activating call forwarding of incoming mobile telephone calls to the subscriber's home wired line telephone **upon removal of said mobile telephone from said CPE cradle**.
>
> (*Emphasis added.*)

The present invention as disclosed by claim 4 refers to a method for providing wired line telephone and mobile telephone cross-usage comprising steps to activate or de-activate call forwarding of incoming mobile telephone calls to a subscriber's home wired line telephone **upon placing / removing the said mobile telephone into / from a customer premises equipment (CPE) cradle**. Call forwarding of incoming mobile telephone calls is controlled by detecting the presence of a mobile telephone within the CPE cradle. Tam neither teaches nor discloses activating or de-activating call forwarding based on a mobile phone being placed in a cradle. The Tam reference makes it clear that the wireline is connected to the mobile phone transceiver. (*See* Tam, col. 4, lines 43-45 and Figs. 4-5). According to Tam, it is important that "the data signal plug serves to provide a connection for audio signals between the cellular telephone and the wireline." (*Id.* at col. 4, lines 2-5) (*emphasis added*). Tam allows enabling of call forwarding by detecting whether the mobile telephone unit transceiver is connected to a wired line. (*See* Tam, col. 7, lines 14-24 and Fig. 7a). Tam never suggests that placing the handset in

the cradle enables any functionality. Thus, there is no teaching or suggestion in Tam that call fowarding be activated "upon placement of said mobile telephone into a customer premises equipment (CPE) cradle" and deactivated "upon removal of said mobile telephone from said CPE cradle" as recited in claim 4. Therefore, applicants respectfully submit that claim 4 is not anticipated by Tam and request that the §102 rejection of claim 4 be withdrawn.

B. *THE §102 REJECTION TO CLAIMS 10-32 SHOULD BE WITHDRAWN*

Claim 10 recites a customer premises equipment (CPE) cradle for providing home wired line and mobile telephone cross-usage comprising:

> a housing;
>
> said housing having at least one conventional telephone jack receptacles;
>
> said conventional telephone jack receptacle of said housing for receiving a conventional telephone cable with a first conventional telephone jack at a first end, said first conventional telephone cable having a second conventional telephone jack at a second end to be connected at said second end into a conventional home telephone wall jack receptacle;
>
> said housing further having a charging device within said housing;
>
> said housing further having at least one connector pin for positively engaging said mobile telephone;
>
> said housing further having a **detection switch for sensing one of an insertion and a removal of the mobile telephone from said CPE cradle**; and
>
> said housing further having a programmable module within said housing.
>
> (*Emphasis added.*)

The Examiner stated that the limitation "said housing further having at detection switch for sensing one of an insertion and a removal of the mobile telephone from said CPE cradle" is

inherent in Tam's disclosure. Applicants respectfully disagree with the Examiner's statement. The present invention includes a detection switch within the housing of the CPE cradle which detects the presence or absence of a mobile telephone within the cradle for the purpose of activating or de-activating call forwarding. The switch may have two positions: (1) where the mobile phone is located within the CPE cradle and (2) where the mobile phone has been removed from the CPE cradle. The position of the switch would signal whether or not the mobile telephone is inserted into the CPE cradle and whether call forwarding should be activated. As described above, any enable / disable of call forwarding functions in Tam are based upon whether the wireline is connected to the mobile phone transceiver. Whether the handset is placed on the cradle has no bearing on the wireline connection. Thus, there is no reason for Tam to disclose, either expressly or inherently, a detection switch because Tam does not describe any functionality associated with such a switch. In fact, the citations used by the Examiner to support the statement of inherency are directed to whether the wireline is connected to the mobile phone transceiver. As described above, the location of the handset is irrelevant to that determination and therefore, applicants respectfully submit that there is no inherent disclosure of a detection switch. Accordingly, applicants respectfully submit that Tam neither teaches nor suggests "a detection switch for sensing one of an insertion and a removal of the mobile telephone from said CPE cradle" as recited in claim 10. Therefore, applicants respectfully request the Examiner to withdraw the rejection of claim 10 and all claims depending therefrom (claims 11-32).

IV. THE 35 U.S.C. §103 REJECTIONS SHOULD BE WITHDRAWN

A. REJECTIONS OF CLAIMS 1-3 SHOULD BE WITHDRAWN

Claims 1-3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,141,545 to Begeja et al. (hereinafter Begeja) in view of Tam.

Begeja describes a system and method to remotely activate call forwarding of wireline calls. The subscriber may securely invoke call forwarding of his wireline calls from his cellular telephone without having to provide a password via the cellular connection, which may be insecure. Call forwarding is controlled by dialing a specific "feature code" from the subscriber's

cellular telephone. To activate call forwarding, the subscriber dials the feature code from his cellular telephone which is then transmitted to a Mobile Switching Center (MSC) and forwarded to the Service Control Point (SCP). The SCP then retrieves the appropriate information and processes the subscriber's request and transmits over a secure network to the local switch for the wired line.

Claim 1 of the applicants' invention claims a method for providing wireline telephone and mobile telephone cross-usage comprising the steps of:

> activating call forwarding of incoming home wired line telephone calls to a subscriber's mobile telephone **upon removal of said mobile telephone from a customer premises equipment (CPE) cradle**; and
>
> deactivating call forwarding of incoming home wired line telephone calls to the subscriber's mobile telephone **upon placement of said mobile telephone into said CPE cradle**.
>
> (*Emphasis added.*)

The Examiner correctly identified that "Begeja does not disclose activating call forwarding upon removal of said mobile telephone from a customer premises equipment (CPE) cradle and de-activating call forwarding upon placement of said mobile telephone into said CPE cradle." (Office Action, p. 8). However, the Examiner attempts to cure the deficiencies of Begeja by stating that Tam disclosed these recitations.

As described in detail above, Tam does not disclose any functionality associated with placement or removal of a mobile phone in a cradle. The entirety of the Tam disclosure is focused on whether the wireline is connected to the transceiver and this has no relation to the handset being on the cradle. Accordingly, Tam does not cure the deficiencies in Begeja because it neither teaches or suggests activating call forwarding "upon removal of said mobile telephone from a customer premises (CPE) cradle and deactivating call forwarding "upon placement of said mobile telephone into said CPE cradle" as recited in claim 1. Thus, the applicants

respectfully request that the Examiner withdraw the §103 rejections to claim 1 and all the claims depending therefrom (claims 2-3).

B. *REJECTIONS OF CLAIMS 5-6 SHOULD BE WITHDRAWN*

The Examiner rejected claims 5-6 as being unpatentable over Tam as applied to claim 4 and further in view of Begeja. As discussed above, Tam does not recite each and every element of claim 4. Because claims 5-6 depend therefrom, applicants respectfully submit that these deficiencies apply to claims 5-6 as well and request that the Examiner withdraw the §103 rejections of claims 5-6.

C. *REJECTIONS BASED OF CLAIMS 7-9 SHOULD BE WITHDRAWN*

Claims 7-9 stand rejected under §103 as being unpatentable over Begeja in view of Tam.

The present invention further recites in claim 7 a method for providing wired line telephone and mobile telephone cross-usage comprising the steps of:

> deactivating call forwarding of incoming mobile telephone calls to a subscriber's home wired line telephone and for activating call forwarding of incoming wired line telephone calls to the subscriber's mobile telephone **upon removal of said mobile telephone from a customer premises (CPE) cradle**; and
>
> activating call forwarding of incoming mobile telephone calls to the subscriber's home wired line telephone and for de-activating call forwarding of incoming wired line telephone calls to the subscriber's mobile telephone **upon placement of said mobile telephone into said CPE cradle**.
>
> (*Emphasis added.*)

The Examiner correctly identified that "Tam does not disclose de-activating call forwarding of incoming wireline telephone calls to the subscriber's mobile telephone upon placement of said mobile telephone into said CPE cradle." (Office Action, p.15). However, the Examiner attempts to cure this deficiency with Begeja stating that "[i]t would have been obvious

to one of ordinary skill in the art at the time the invention was made to modify the method of Tam such that it includes de-activating call forwarding of incoming wireline telephone calls to the subscriber's mobile telephone upon placement of said mobile telephone into said CPE cradle as taught by Begeja." Applicants respectfully disagree with the Examiner's argument.

The present invention, as recited by claim 7, includes a method for providing wired line telephone and mobile telephone cross-usage comprising the steps of: de-activating call forwarding of incoming mobile telephone calls to a subscriber's home wireline telephone and for activating call forwarding of incoming wireline telephone calls to the subscriber's mobile telephone **upon removal of said mobile telephone from a customer premises equipment (CPE) cradle**; and activating call forwarding of incoming mobile telephone calls to the subscriber's home wireline telephone and for de-activating call forwarding of incoming wireline telephone calls to the subscriber's mobile telephone **upon placement of said mobile telephone into said CPE cradle**. The Examiner asserts that "Begeja discloses inherently de-activating call forwarding of incoming wireline telephone calls to the subscriber's mobile telephone upon placement of said mobile telephone into said CPE cradle, wherein de-activation can be done remotely." (Office Action, p. 15). However, Begeja makes no reference to a CPE cradle in its disclosure. Rather, Begeja discusses activating and deactivating call forwarding of wireline calls by remotely providing a feature code via the a mobile telephone. (*See* Begeja, col. 5, lines 23-25, 45-50; col. 6, lines 35-40). Activating and deactivating call forwarding of wireline calls with a feature code from a cellular telephone is unrelated to the placement or removal of a mobile telephone into or from a CPE cradle. The feature code to activate or deactivate call forwarding may be provided at any time and need not be linked to the placement of a mobile telephone into a CPE cradle. Furthermore, the Examiner agreed that "Begeja does not disclose activating call forwarding upon removal of said mobile telephone from a customer premises equipment (CPE) cradle and de-activating call forwarding upon placement of said mobile telephone into said CPE cradle." (Office Action, p. 8). In light of the above arguments and the Examiner's statement, applicants respectfully submit that claim 7 is allowable and request that the Examiner withdraw the §103 rejections of claim 7 and the claims depending therefrom (claims 8-9).

V. NEWLY ADDED CLAIMS

Because new independent claims 33 and 36 recite similar limitations as described above for independent claims 1 and 4, respectively, all of the arguments presented above for claims 1 and 4 apply to claims 33 and 36 as well. Thus, for at least the reasons discussed above, applicants respectfully submit that claims 33 and 36 and the claims which depend therefrom (claims 34 and 35) are also allowable.

VI. CONCLUSION

In light of the foregoing, the applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner have been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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